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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,066	05/24/2001	Clive Hoggart	9229.00	6693

26889 7590 06/24/2005

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EXAMINER

PHAN, THAI Q

ART UNIT	PAPER NUMBER
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2128

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/865,066

Applicant(s)

HOGGART ET AL.

Examiner

Thai Q. Phan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2005.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-16 and 20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,4-16 and 20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This Office Action is in response to applicants' amendment filed on 04/06/2005.

Claims 1, 4-16, and 20 are amended and pending in the action.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As cited "when the specified event will occur" in the claim is being unclear for failing to point out how to predict when the specified event will occur. The claim does not provide and show elements to necessarily predict when the event will occur.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 4-16, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kramer et al, US patent no. 6,327,574 B1.

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As per claim 1, Kramer anticipates a method and a computer system for prediction of bank customer event using Bayesian statistics model with feature limitations very identical to the claimed invention (Summary of the Invention). According to Kramer, the method includes steps:

Accessing data about other bank customer or client for which the specified event has occurred in the past after the specified trigger event (col. 18, line 48 to col. 29, line 39),

Accessing data about the bank customer for which the prediction is required (cols. 18-32),

Creating a Bayesian statistical model on the basis of the accessed data (cols. 18-32),

And using the model to generate the prediction, wherein the data comprises a plurality of attributes associated with each entity and wherein creating the model comprises partitioning the attributes into a plurality of partitions (cols. 18-29).

As per claims 4-6, Kramer anticipates the apparatus and method for analyzing user data which would include data related to customer, business operation to banking, financing, etc as claimed (cols. 18-29, for example).

As per claim 7, Kramer analysis model would include the assumption that the specified event will not occur for some of the business clients.

As per claims 8-16, Kramer anticipates Bayesian framework, event attributes, likelihood function, optimal partitions for knowledge discovery or event prediction as claimed (cols. 18-32).

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As per claim 20, Kramer anticipates a method and a computer system with program instructions, memory for storing the program for prediction of bank customer event using Bayesian statistics model with feature limitations very identical to the claimed invention (Summary of the Invention). According to Kramer, the method includes steps:

Accessing data about other bank customer or client for which the specified event has occurred in the past after the specified trigger event (col. 18, line 48 to col. 29, line 39),

Accessing data about the bank customer for which the prediction is required, wherein the data comprises a plurality of attributes associated with each customer (cols. 18-32),

Creating a Bayesian statistical model on the basis of the accessed data (cols. 18-32),

And using the model to generate the prediction, wherein the data comprises a plurality of attributes associated with each entity and wherein creating the model comprises partitioning the attributes into a plurality of partitions (cols. 18-32).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 4-16, and 20, particular to the amended features in the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US patent no. 6,493,637 B1, issued to Steeg, Evan, on Dec. 2002
2. US patent no. 6,567,814 B1, issued to Bankier et al, on May 2003
3. US patent application publication no. 2004/0215495 A1, to Eder, Jeff, on Oct. 2004.

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thai Phan whose telephone number is 571-272-3783. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean Homere can be reached on 571-272-3780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 12, 2005



Thai Phan  
Patent Examiner